

THE UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

IDA PAVLICHENKO, )  
Plaintiff )  
 )  
V. ) CIVIL ACTION FILE NO.  
 )  
MICHAEL CHERTOFF, as Secretary of the ) 2005 – 10429 RGS  
Department Homeland Security; EDUARDO )  
AGUIRRE, as Acting Director of the Bureau of )  
Citizenship & Immigration Services; DENNIS C. )  
RIORDAN, District Director of the Bureau of )  
Citizenship & Immigration Services for Boston, )  
Massachusetts )  
Defendants

MOTION TO WITHDRAW REQUEST FOR DEFAULT JUDGMENT

NOW comes the undersigned counsel, and hereby requests this Honorable Court to allow this motion to withdraw. As grounds for this motion the Plaintiff submits as follows:

Statement of Facts

On May 4, 2005 the Plaintiff filed a complaint for naturalization pursuant to 8 U.S.C 147 (b). Subsequently, on June 15, 2005 she filed a motion for default judgment on the grounds that the aforementioned Defendants failed to file responsive pleadings. As a result, she requested that her request for Naturalization be granted pursuant to 8 U.S.C. 1447(b).

Legal Argument

From a review of the record it appears that two of the necessary parties have not been served regarding the initial complaint for naturalization. Therefore, the Plaintiff respectfully requests the Court take no action on the motion for default judgment.

Conclusion

WHEREFORE, Plaintiff requests this Honorable Court to allow this motion to withdraw.

Respectfully Submitted,



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BBO No. 634881

**CERTIFICATE OF SERVICE**

I, Desmond P. FitzGerald, do hereby certify that I have served a true and accurate copy of the forgoing Motion to Withdraw Request for Default Judgment, by mailing a copy thereof to the opposing party, Mr. Dennis Riordan, U.S. Citizenship & Immigration Services, JFK Federal Building, Boston, MA 02213, this 21<sup>st</sup> day of June, 2005.



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**CERTIFICATE OF SERVICE**

I, Desmond P. FitzGerald, do hereby certify that I have served a true and accurate copy of the forgoing Motion to Withdraw Request for Default Judgment, by mailing a copy thereof to the opposing party, Mr. Eduardo Aguirre, U.S. Citizenship & Immigration Services, 425 Eye Street N.W., Room 7309, Washington, D.C. 20536, this 21st day of June, 2005.



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**CERTIFICATE OF SERVICE**

I, Desmond P. FitzGerald, do hereby certify that I have served a true and accurate copy of the forgoing Motion to Withdraw Request for Default Judgment, by mailing a copy thereof to the opposing party, Mr. Michael Chertoff, U.S. Department of Homeland Security, Washington, D.C. 20528 this 21st day of June, 2005.



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